

REMARKS

Receipt of the Office Action of January 29, 2007 is gratefully acknowledged.

The title of the application has been changed.

The objection to claims 11 - 16 is noted. In reply thereto, claim 12 has been cancelled and claim 11 amended to delete the "i.e." designation.

Regarding the drawings, claims 18 - 20 have been cancelled for now.

Claims 11 - 20 have been examined and these have been rejected as follows: claims 11 - 15 under 35 USC 102(b) by Russwurm; and claims 16 - 20 as unpatentable under 35 USC 103(a) over Russwurm in view of Fu et al.

After carefully studying the cited references, it is apparent that the cited references do not teach or suggest an arrangement where the transducers are clamped onto the containment . Accordingly, claim 11 has been amended to state this feature. This feature is supported by many portions of the specification. See, for example, page 6, lines 25 - 26 of the specification.

In addition to this feature, which distinguishes the claims over the cited references, it should also be noted, that Russwurm describes an ultrasonic inline flow meter having a W-shaped ultrasonic path in the measurement tube and having a stepped elevation/depression of the inner wall of the tube at the cite of reflection of the parasitic V-shaped path. That means that the V-shaped path is not desired in any way. Therefore, Russwurm provides an embodiment of a flow

meter for eliminating this undesired path from the measuring signal. The method of eliminating the parasitic V-shaped signal is based on the interference method. Consequently, Russwurm directs the person skilled in the art away from and not toward the present invention, and as such can be removed as a reference.

Fu et al describes a transducer structure for generating uniform and focused ultrasonic beams and applications thereof. As disclosed in col. 2, lines 54 - 68, the flow meter employs a double beam pulsed Doppler transducer which uniformly illuminates the vessel. Fu et al does not describe a flow meter which determines the flow rate of a medium in a pipe by the time difference of measuring signals propagating in and against the flow direction. The present invention does. Furthermore, the flow meter described in Fu et al, is an inline flow meter and not a clamp-on flow meter.

The noted two references are different from each other and the present invention so that their combined teaching will not help the person of ordinary skill in the art to achieve the present invention as claimed.

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 11 and 13 - 17 found allowable.

Respectfully submitted,
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